

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**INFORMATIVE MOTION OF THE BANK OF NEW YORK MELLON REGARDING
APPEARANCE AT PRETRIAL CONFERENCE AND HEARING TO CONSIDER
CONFIRMATION OF SEVENTH AMENDED TITLE III JOINT PLAN OF
ADJUSTMENT OF THE COMMONWEALTH OF PUERTO RICO, ET AL.**

The Bank of New York Mellon (“BNYM”), in its capacity as (i) fiscal agent under the Pension Funding Bond Resolution, adopted on January 24, 2008, by The Employees Retirement System of the Government of the Commonwealth of Puerto Rico; (ii) successor trustee under the Trust Agreement, dated as of March 24, 2006, between the Puerto Rico Convention Center District Authority, as issuer, and JPMorgan Chase Bank, N.A., as trustee; (iii) fiscal agent under Resolution No. 68-18 adopted June 13, 1968, and Resolution No. 98-06

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17- BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17- BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

adopted February 26, 1998, by the Puerto Rico Highways and Transportation Authority; and (iv) trustee under the Trust Agreement, dated as of March 1 2015, between the Puerto Rico Infrastructure Financing Authority and BNYM, through its undersigned counsel, hereby submits this informative motion and party appearance sheet in accordance with the Court's October 14, 2021 *Order Regarding Procedures for Hearing on Confirmation of Plan of Adjustment* [Doc. No. 18502] (the "Order") setting forth guidelines for parties wishing to appear at the Pretrial Conference (as defined in the Order) on November 1, 2021, at 9:30 a.m. (AST) and the Confirmation Hearing (as defined in the Order) beginning on at 9:30 a.m. (AST) on November 8, 2021 (collectively, the "Hearings").

1. Luke A. Sizemore and Jared S. Roach of Reed Smith LLP will appear on behalf of BNYM at the Hearings via Zoom. Their email addresses are lsizemore@reedsmith.com and jroach@reedsmith.com, respectively.

2. BNYM does not intend to present opening argument, cross-examine any declarant, or present live rebuttal testimony at the Confirmation Hearing, but reserves the right to be heard on any matter presented to the Court, including, but not limited to, the *Reservation of Rights of The Bank of New York Mellon Regarding the Proposed Order Confirming the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [Case No. 17-3283, Doc. No. 18662; Case No. 17-3566, Doc. No. 1221], and to respond to any statement made by any party related to the Title III cases and/or any adversary proceeding pending in the Title III Cases to the extent it impacts the rights, claims, or interests of BNYM.

3. BNYM's Party Appearance Sheet, Witness Cover Sheet, and Exhibit Cover Sheet are attached hereto as **Exhibit A**, **Exhibit B**, and **Exhibit C**, respectively.

Dated: October 27, 2021
San Juan, Puerto Rico

Respectfully submitted,

SEPULVADO, MALDONADO & COURET

By: /s/ Albéniz Couret-Fuentes
Albéniz Couret-Fuentes
USDC-PR Bar No. 222207
304 Ponce de León Ave. – Suite 990
San Juan, PR 00918
Telephone: (787) 765-5656
Facsimile: (787) 294-0073
Email: acouret@smclawpr.com

REED SMITH LLP

Luke A. Sizemore (*Pro Hac Vice*)
Jared S. Roach (*Pro Hac Vice*)
225 Fifth Avenue, Suite 1200
Pittsburgh, PA 15222
Telephone: (412) 288-3131
Facsimile: (412) 288-3063
Email: lsizemore@reedsmith.com
Email: jroach@reedsmith.com

Counsel to The Bank of New York Mellon

EXHIBIT A
PARTY APPEARANCE SHEET

Name of Party	The Bank of New York Mellon
Party Name Abbreviation (For Use with Zoom ²)	BNYM
<p>Confirmation Hearing Participant</p> <p>Attorney(s) Representing Party (provide the listed information for each attorney who may appear for the Party):</p> <ul style="list-style-type: none"> • Name, • Email, • Law Firm, • Phone Number and • Docket Entry No. for the Attorney's Notice of Appearance • Is the attorney participating in the Final Pretrial Conference or the Confirmation Hearing or both? <p>or</p> <p>Party-in-interest Not Represented by Counsel:</p> <ul style="list-style-type: none"> • Name, Email, Phone Number, Proof of Claim Number (if any) 	<p>Luke A. Sizemore lsizemore@reedsmith.com Reed Smith LLP 412.288.3514 Doc. No. 78 Final Pretrial Conference and the Confirmation Hearing</p> <p>Jared S. Roach jroach@reedsmith.com Reed Smith LLP 412.288.3277 Doc. No. 8515 (<i>Motion for Admission Pro Hac Vice of Jared Roach</i>); Doc. No. 8525 (<i>Order Granting Motion for Admission Pro Hac Vice of Jared Roach</i>) Final Pretrial Conference and the Confirmation Hearing</p>
Plan Objection Docket Entry No.	N/A
Witness List Docket Entry No.	N/A
Exhibit List Docket Entry No.	N/A
Other Statement Docket Entry No.	Case No. 17-3283, Doc. Nos. 18588 and 18662; Case No. 17-3566, Doc. Nos. 1218 and 1221
If a Party files a supplemental Party Appearance Sheet, the Party must include the Docket Entry No. of the original appearance sheet in the new filing which must be clearly marked as a "Supplemental" Party Appearance Sheet.	N/A
<p>Note: Pursuant to the Confirmation Hearing Procedures Order ¶ 2, the Financial Oversight and Management Board for Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority shall each be limited to 4 attorneys appearing in the Zoom session at any given time, and each other party-in-interest shall be limited to 2 attorneys at any given time. No amicus appearances on Zoom will be permitted for purposes of the Confirmation Hearing.</p> <p>Parties-in-interest not appearing by counsel must have (i) filed a written objection on behalf of him or herself and/or a statement of support in relation to plan confirmation consistent with either (1) <i>Order Establishing Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith</i> and/or (ii) the Confirmation Hearing Procedures Order.</p>	

EXHIBIT B
PARTY WITNESS COVER SHEET

Name of Party			The Bank of New York Mellon
Does the Party intend to offer a witness?			No. The Bank of New York Mellon reserves the right to be heard on any matter presented to the Court, including, but not limited to, the <i>Reservation of Rights of The Bank of New York Mellon Regarding the Proposed Order Confirming the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.</i> [Case No. 17-3283, Doc. No. 18662; Case No. 17-3566, Doc. No. 1221], and to respond to any statement made by any party related to the Title III cases and/or any adversary proceeding pending in the Title III Cases to the extent it impacts the rights, claims, or interests of The Bank of New York Mellon.
Witness Name	Expert or Fact Witness	Is interpreter required? (Proponent of witness must provide certified interpreter)	Scope of Testimony
N/A	N/A	N/A	N/A

EXHIBIT C
PARTY EXHIBIT COVER SHEET

Name of Party		The Bank of New York Mellon
Does the Party intend to offer evidence?		No. The Bank of New York Mellon reserves the right to be heard on any matter presented to the Court, including, but not limited to, the <i>Reservation of Rights of The Bank of New York Mellon Regarding the Proposed Order Confirming the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.</i> [Case No. 17-3283, Doc. No. 18662; Case No. 17-3566, Doc. No. 1221], and to respond to any statement made by any party related to the Title III cases and/or any adversary proceeding pending in the Title III Cases to the extent it impacts the rights, claims, or interests of The Bank of New York Mellon.
Exhibit Identifier	Docket Entry No.	Description of Exhibit
N/A	N/A	N/A
Pursuant to Bankruptcy Local Rule 9037-1(a), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a).		